




Ifw ✓

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Budd et al. Attorney Docket No.: 2317.001A
Serial No.: 10/829,303 Group Art Unit: 1644
Filed: April 21, 2004 Examiner: Belyavskyi, M. A.
Title: CASPASE INHIBITORS FOR INHIBITING BLOOD CELL PROLIFERATION
AND FOR TREATING AUTOIMMUNE DISEASES

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 8, 2004


Kathy Smith Dias
Attorney for Applicants
Reg. No. 41,707

Date of Signature: November 8, 2004

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Restriction Requirement Under 37 C.F.R. § 1.142

Dear Sir:

This is in response to the Office Action mailed on September 9, 2004, in connection with the above-identified U.S. patent application. The one-month period for response expires on October 9, 2004; however, in view of a Request for a one-month extension of time and fee therefor enclosed herewith, this response is timely filed.

Claims 1-21 were presented at the time of filing and are currently pending in the application. The Action of September 9, 2004 requires election under 35 U.S.C. § 121 among five groups of claims:

Group I (claims 1-4, 7, 9-10), drawn to a method of suppressing the immune system comprising administering an unmodified caspase-8 inhibitor, classified in Class 424, subclass 184.1;

Group II (claims 1-3, 5-6 and 8), drawn to a method of suppressing the immune system comprising administering a modified caspase-8 inhibitor, classified in Class 424, subclass 184.1;

Group III (claims 11-14, 17 and 19-20) drawn to a method of treating a tumor disease comprising administering an unmodified caspase-8 inhibitor, classified in Class 424, 184.1;


Group IV (claims 11-13, 15-16 and 18) drawn to a method of treating a tumor disease comprising administering a modified caspase-8 inhibitor, classified in Class 424, subclass 184.1; and

Group V (claim 21) drawn to a method of inhibiting the proliferation of peripheral blood lymphocytes comprising administering a caspase-8 inhibitor, classified in Class 424, subclass 184.1.

Applicants hereby elect the claim of Group V (claim 21).

Should any questions arise in connection with this Application, Applicants' Attorney can be reached at the telephone number listed below.

Respectfully submitted,


Kathy Smith Dias
Attorney for Applicants
Reg. No. 41,707

Dated: November 8, 2004

Address for Correspondence:
Kathy Smith Dias
HESLIN ROTHENBERG FARLEY & MESITI P.C.
5 Columbia Circle
Albany, New York 12203-5160
Telephone: (518) 452-5600
Facsimile: (518) 452-5579